Quetta LG election process begins after court orders

Nomination papers available from Nov 13 to 17; polling scheduled for Dec 28

By Muhammad Akbar Notezai

QUETTA: The Election Commission of Pakistan (ECP) has initiated the process for holding local bodies' elections in Quetta district, following the orders of the Balochistan High Court, which dismissed all petitions seeking to halt the Quetta Metropolitan Corporation (QMC) elections.

The Balochistan government had submitted a request to delay the QMC election, but the Election Commission rejected this plea and announced that elections will be held on December 28.

Provincial Election Commissioner Ali Asghar Sial announced on Monday that the formal process for local government elections in Quetta has commenced.

Candidates contesting for 172 Union Councils and 641 wards will be able to obtain nomination papers from November 13 to November 17. This will be followed by scrutiny and withdrawal of nomination papers. Final symbols will be allotted to candidates on December 6, while polling will take place on December 28, and results will be announced on December 31.

Speaking on Monday, the Provincial Election Commissioner said that the services of the Pakistan Army, Frontier Corps (FC), and police would be utilised to ensure security during the elections. He added that local government elections in 35 districts of Balochistan have already been completed, and now the process in Quetta is underway.

Mr Sial informed that the ECP has appointed a District Returning Officer, 17 Returning Officers, and 34 Assistant Returning Officers, all of whom have completed training and taken oaths. In Quetta, elections will be held for 172 Union Councils and 641 wards. Initially, ward members will be elected, followed by Union Council members. After elections for reserved seats, the Chairman and Vice Chairman will be chosen.

Quetta has been divided into four towns — Chiltan, Zarghoon, Takatu, and Sariab. Following the election of reserved seats, the Metropolitan Corporation will be formed, and the Chairmen of all four towns will elect the Mayor and Deputy Mayor of Quetta.

Mr Sial further stated that Quetta has over 870,000 registered voters, excluding cantonment areas, and the final list specifying male and female voters will be finalised within a couple of days. Based on the 2017 census, delimitations were carried out dividing Quetta into four towns: Sariab (38 UCs), Takatu (42 UCs), and Chiltan and Zarghoon (40 UCs each).

Out of the 172 Union Councils, general members will be elected who will also form the Metropolitan Corporation, followed by elections for reserved seats — 33 per cent for women, 5pc each for workers, minorities, and farmers. These members will vote for the Mayor and Deputy Mayor.

The elections will also include the selection of Chairmen and Vice Chairmen for the Union Councils and later for the towns. Party-affiliated candidates will receive their party symbols, while independent candidates will be allotted different election symbols.

The provincial election commissioner emphasised that the Election Commission of Pakistan is committed to conducting free, fair, and transparent elections under the law and the Election Act to ensure that no one has grounds for complaint. He concluded that the elections in Quetta had been delayed for over two years due to legal challenges against delimitations, but now, following the court's directives, the election process has resumed.

Shariat court judges irked by 'sudden displacement'

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judges believe the space is insufficient to house all employees and maintain the court's operations effectively.

Due to these objections, the FSC building has not been "formally handed over to the CDA for renovation" despite the approval of the 27th Amendment by the upper house of parliament that paved the way for constitutional court's creation.

FSC overstaffed?

On the other hand, law ministry officials claim the FSC is overstaffed, with 350 officials working on only 56 petitions. The FSC administration strongly disputes this claim. In addition to the 56 petitions, it asserts, nearly 500 criminal appeals are pending before the court's principal seat and its four regional registries.

The law ministry officials argue the IHC with a similar strength of about 370 employees is handling over 17,000 pending cases. They suggest many FSC officials could be "reassigned to the upcoming constitutional court once it is operational", given their relevant experience and familiarity with constitutional and Islamic jurisprudence.

IHC staff being relocated

Meanwhile, the process to vacate the third floor of the IHC building, which is being renovated, is also underway.

Assistant Registrar Muhammad Asad has been formally appointed to supervise the relocation process. He will assume charge of the record room's administrative affairs in the old IHC building, according to an office order issued by the IHC additional registrar.

He will also oversee the reorganisation and transfer of court records to ensure smooth continuity of judicial operations during the shift.

Sources within the judiciary said the current reshuffling, including FSC's relocation, was being undertaken as part of the broader restructuring efforts within superior judiciary. However, the judges' unease underscores the logistical and administrative challenges of implementing the large-scale reforms within existing judicial infrastructure.

QUETTA: A woman sells caps on Spinny Road.—PPI

PM forms body to investigate Lyari Expressway 'irregularities'

ISLAMABAD: Prime Minister Shehbaz Sharif has constituted a five-member committee to investigate alleged irregularities in the award of Karachi's Lyari Expressway project.

A notification issued by the PM Office, available with *Dawn,* read that the prime minister has formed a committee to undertake a fact finding inquiry into the affairs of the National Highway Authority (NHA).

The committee includes former federal secretary Mian Mushtaq Ahmed as convener; Prime Minister's Inspection Commission (PMIC) chief retired Brig Muzaffar Ali Ranjha, Commerce Secretary Jawad Paul, Cabinet Secretary Kamran Ali Afzal, and a representative of the Intelligence Bureau.

The terms of reference of the committee read that it should "examine the propriety and justification for the award of contract" for the renovation of the Lyari Expressway "without competitive bidding process and identify the officers in the decision making chain." It is also tasked with reviewing "the pricing and award of contract for the electrical works" of the Lyari Expressway renovation project and identify the officers who processed or approved the procurement.

It will further "ascertain the merits, integrity and motivation for awarding the contracts, without open auction, for the collection of toll/revenue at the toll plazas and weigh stations at Pattoki and Lyari Expressway and also for toll plaza(s) located at Phool Nagar, Ghazi Ghat, Qutabpur, Rajanpur, DI Khan-1 and Kohat Tunnel".

The officers associated with the decision-making process for the award of these contracts shall also be indicated, the TORs read.—Syed Irfan Raza

Elite still rules country after 78 years, says JI chief

ISLAMABAD: Jamaat-i-Islami chief Hafiz Naeemur Rehman said on Monday that Pakistan, even after 78 years of independence, was still struggling for its survival under a system dominated by the civil and military bureaucracy.

Addressing members of the Islamabad Bar Association here, he said the country had drifted far away from the vision on which it was founded, and it continued to be controlled by an elite and privileged class that resisted reform and accountability. "Those in power for 78 years must go now," he added.

The JI chief said that the country was created purely on the basis of "La ilaha illallah", and founder of the nation, Quaid-i-Azam Muhammad Ali Jinnah, had envisioned a governance model rooted in Islamic justice, equality and public welfare.

"Pakistan was built with great hopes, yet today, the system serves only a handful of powerful groups while the common man continues to suffer," he said.

The JI leader said that after Quaid-i-Azam's death, the nation was deliberately left confused about its ideological direction. Mr Rehman praised the country's bar associations for upholding democracy by regularly holding elections. —Kalbe Ali

22 terrorists killed in KP

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into the main gate. This caused the gate to collapse as well as damage to its adjacent infrastructure.

The security forces engaged the intruders with precision and killed two militants, while three managed to enter the college premises but were cornered in the administrative block.

"These khwarij … have once again tried to repeat the barbaric act of terrorism they carried out at Army Public School Peshawar in 2014," the military's media wing said.

The statement added that the attack aimed to instill fear among the youth of the erstwhile tribal areas.

It further stated that the militants hiding inside the college premises were in contact with their "masters and handlers in Afghanistan" to receive instructions from them.

"The blatant act of barbarism orchestrated by militants from Afghanistan contrasts with the Afghan Taliban regime's assertions of no presence of such militant groups on their soil," the ISPR said.

"Pakistan reserves the right to respond against terrorists and their leadership present in Afghanistan," the statement added.

"Clearance operations being are conducted to eliminate the remaining Indian-sponsored khwarij".

The statement read that security forces would continue their relentless counter-terrorism campaign under the vision "Azm-i-Istehkam" (as approved by the Federal Apex Committee on the National Action Plan). It concluded that the law enforcement agencies would continue at full pace to wipe out the menace of foreign sponsored and supported militancy from the country.

North Waziristan, Kohat operations

Separately, during an intelligence-based operation in the general area of Shawal in North Waziristan, eight terrorists were killed by the security forces.

The ISPR said that another engagement took place in the Darra Adam Khel area of Kohat district. Following an intense exchange of fire, 12 terrorists were killed, it added.

27th Amendment

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arrange the required number of votes after receiving the reports that PML-N Senator Irfan Siddiqui, who later passed away, was hospitalised and would be unable to make it to the Senate.

Apparently, in a move to provide more time to the government to seek support from some opposition members, Manzoor Kakar, who was presiding over the morning sitting in the absence of Senate chairman and deputy chairman, allowed the members to deliver lengthy speeches on the bill. He then announced a two-hour break, adjourning the house till 3.30pm.

Soon after the break, PPP Senator Farooq Naek presented the final report on the bill, approved by the standing committees on the law and justice of the two houses, highlighting three to four changes that had been suggested by members of the two committee.

JUI-F Senator Ataur Rehman, while announcing his party's decision to not support the bill, criticised the alleged role of the establishment in politics. He said he was not sure "which institution is more powerful — parliament or the military establishment?"

Changes in the bill

About the changes incorporated into the bill on recommendation of the parliamentary committees, Senator Naek said the Federal Constitutional Court (FCC) would have equal representation of all provinces besides a representative from the Islamabad High Court. He said the initial draft of the bill stated a judge having served for seven years in the high court could be nominated for the FCC, but this qualification merit has been curtailed to five years on the recommendation.

Moreover, he said, the committees agreed that if an appointment was made to the FCC from among sitting Supreme Court judges, the inter-se seniority of the appointee would remain the same as at the time of the appointment. On the other hand, in the case of a fresh appointment of a lawyer or a high court judge, the seniority would be reckoned from the date on which they would assume office. However, he added, if multiple judges would take the oath the same day, their seniority would be determined on the basis of their age.

Also, the parliamentary committees suggested a change in the nomination for the reconstituted Judicial Commission of Pakistan (JCP), he said. The 26th Amendment had authorised the speaker to nominate a woman or a non-Muslim candidate for the JCP, he explained. However, the committees proposed that the nominee should be a technocrat, he added.

The PPP senator said the suo motu powers of judges had not been taken away, but the court would exercise these powers only when an application was submitted. "The case will be taken up for hearing after the FCC decides whether the application for exercising suo motu powers is valid and needed," he said.

Stay order, judges' transfer

The PPP senator, who was part of the committee that examined the initial draft of the bill, said that an interim stay order in matters of revenue remained valid until the case was decided under Article 199 of the Constitution. Since this created a huge backlog, the amendment suggested that interim order would be vacated automatically after one year if no decision on the case was made, he explained.

Referring to the procedure of judges' transfer, Mr Naek said previously, even when the 26th Amendment was passed, the President could transfer judges with their consent and after consultation with the chief justices of both relevant high courts.

However, this procedure has been amended, he said. "Now a judge refusing his transfer would be given an opportunity of presenting his reasons for the decline before the JCP. And if the JCP finds the reasons invalid, he would have to retire," the senator explained.

Immunity clauses

About the provision of lifetime immunity to the President from facing criminal trial or arrest under Article 248, he said it was suggested that this immunity would not be available if the President holds a public office after the end of his term, but as soon as he ceases that public office he would again be entitled to this immunity.

According to a proposed amendment in Article 243, this type of lifetime immunity has also been provided to the field marshal, marshal of the air force and admiral of the navy.

Exchange of barbs

While the bill after sailing through the Senate was expected to be presented before the National Assembly, which met later in the evening, the government did not move the bill for unexplained reasons.

The bill is now expected to be tabled before the National Assembly today (Tuesday).

The brief NA sitting was marred by ruckus as the opposition and treasury lawmakers exchanged harsh words and lambasted each other. The speaker allowed a debate on the 27th Constitutional Amendment bill, even though it was not laid in the assembly.

PTI leader Asad Qaiser criticised PPP Chairman Bilawal Bhutto-Zardari for what he called 'forgetting the sacrifices of his grandfather Zulfikar Ali Bhutto'.

"The grandson of Zulfikar Ali Bhutto has buried the Constitution today. I ask Bilawal how he will face the people," he said, asking the people of PPP-ruled Sindh province to take notice of the move.

Mr Qaiser claimed the 27th Amendment would break the backbone of the judiciary, leaving the PTI with no other option but to approach the international court to seek justice.

PPP leader Raja Pervaiz Ashraf defended the lifetime immunity to the President, stating that this was a standard practice in many countries for the head of state.

The PTI lawmakers interrupted Mr Ashraf's speech with slogans like "Go Zardari go" and "Long live Imran Khan".

SC judges demand full court

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the institution, raise the alarm before the independence of the judiciary is irretrievably lost," the letter urged.

The letter emphasised that there was no structural void or historical necessity to justify the creation of FCC over and above the SC. Importing the continental model into Pakistan's integrated common-law framework is not reform – it is constitutional incoherence, the letter stressed.

The proposal for FCC in the Charter of Democracy 2006, the letter said, was envisioned only for a limited duration of six years in a very specific historical context — the military rule of Gen Pervez Musharraf — when civilian political forces sought to restore balance among the state institutions. Nearly two decades later, without implementation, the charter's temporal vision has lapsed.

To now cite that temporary idea as justification for permanent changes in the judiciary is historically and constitutionally misplaced. This question too demands open consultation with the judiciary and a transparent explanation to the public, the letter said.

To say that a separate FCC was essential for constitutional adjudication was unfounded, the letter said, adding that strong and independent judiciaries around the world effectively discharge both constitutional and appellate jurisdictions without such a parallel court.

The real solution lies not in creating another apex forum but in ensuring that the existing court is equipped with independence, competent and adequately supported judges, the letter emphasised.

Pending cases

On pendency, the letter cited the Law and Justice Commission of Pakistan (LJCP) 2023 judicial statistics, saying that Pakistan had 2.26 million pending cases, of which nearly 82 per cent were before the district judiciary, while the Supreme Court accounted for less than three per cent of the total. The overwhelming burden of delay lies at the base, not at the apex of the judicial pyramid.

Despite the creation of constitutional benches under the 26th Amendment, national pendency has remained virtually unchanged, confirming that structural tinkering at the top does not address systemic backlog.

If reduction of pendency is indeed the government's objective, reform must focus on the district judiciary – fulfilling vacancies, strengthening case management, institutionalising alternative dispute resolution and ensuring data-driven accountability.

'Greatest threat'

Meanwhile, Faisal Siddiqui said the missive was being written not in normal times but in times that presented the greatest threat to the Supreme Court since its establishment in 1956.

In case, this request was declined on the "pretext of neutrality or noninterference with legislation, then we would at least expect the CJ to accept and admit in a written response to us that he was now reconciled to be the last chief justice of Pakistan and now reconciled to accept the demise of the Supreme Court of Pakistan as the highest court in Pakistan"."At least by this admission by you, we would no longer have any kind of expectation from your Lordship to be a defender of the Supreme Court," the letter said. The letter was endorsed and signed by former retired judges and senior lawyers, namely Mushir Alam, Nadeem Akhtar, Muneer A. Malik, Muhammad Akram Sheikh etc, and requested a prompt full court meeting.

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